

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 16-1971 JGB (MRW)	Date	February 3, 2017
Title	McMahon v. Gamez		

Present: The Honorable	Michael R. Wilner
Veronica Piper	n/a
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff / Petitioner:	Attorneys Present for Defendant / Respondent:
None present	None present
Proceedings:	ORDER TO SHOW CAUSE RE: FAILURE TO UPDATE MAILING ADDRESS

Plaintiff is a pro se litigant in this federal action. When the Court recently issued a scheduling order to Plaintiff's current address of record, the post office returned the item as undeliverable. (Docket # 35.) Plaintiff's prison reported (on the face of the envelope) that he's been discharged from custody.

That presents a major problem. A litigant in federal court is obliged to inform the Court and the defense of any change in address. If Plaintiff fails to keep the Court informed of a correct mailing address, this case may be dismissed under Local Rule 41-6, which states as follows:

If mail directed by the Clerk to a *pro se* plaintiff's address of record is returned undelivered by the Postal Service, and if, within fifteen days of the service date, such plaintiff fails to notify, in writing, the Court and opposing parties of his current address, the Court may dismiss the action with or without prejudice for want of prosecution.

Based on the recent return of mail, the Court suspects that Plaintiff failed to properly update his address with the Court. Therefore, by February 28, 2017, Plaintiff will file a sworn notice with the Court indicating his current, accurate mailing address. Failure to do so may lead the Court to conclude pursuant to Federal Rule of Civil Procedure 41 that Plaintiff has no interest in prosecuting this action further or is willing to abide by court orders, and that dismissal is appropriate under the Local Rule.